



PATENT  
Customer No. 22,852  
Attorney Docket No. 08048.0027

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 )  
Jean-Louis H. GUERET ) Group Art Unit: 3732  
 )  
Application No.: 10/084,939 ) Examiner: R. Doan  
 )  
Filed: March 1, 2002 )  
 )  
For: BRUSH AND METHOD OF )  
MAKING BRUSH )

Commissioner for Patents  
Washington, DC 20231

Sir:

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

In an Office Action dated March 23, 2004, the Examiner required an election of species under 35 U.S.C. § 121 between the following asserted species:

- Species I, shown in Fig. 1;
- Species II, shown in Fig. 8;
- Species III, shown in Fig. 10;
- Species IV, shown in Fig. 12;
- Species V, shown in Fig. 14;
- Species VI, shown in Fig. 16;
- Species VII, shown in Fig. 18;
- Species VIII, shown in Fig. 19;
- Species IX, shown in Fig. 20;
- Species X, shown in Fig. 24;

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Species XI, shown in Fig. 25;  
Species XII, shown in Fig. 26;  
Species XIII, shown in Fig. 27;  
Species XIV, shown in Fig. 28;  
Species XV, shown in Fig. 29;  
Species XVI, shown in Fig. 31;  
Species XVII, shown in Fig. 33;  
Species XVIII, shown in Fig. 25;  
Species XIX, shown in Fig. 37;  
Species XX, shown in Fig. 39;  
Species XXI, shown in Fig. 39; and  
Species XXII, shown in Fig. 40.

Applicant provisionally elects to prosecute asserted Species I, associated with Fig. 1. At least claims 1, 3-7, 15-19, 21-31, 33-37, 45-49, 51-61, 64-67, 75-79, 81-91, 93-96, 104-108, 110-120, 122-126, 134-138, 140-150, 152-156, 164-168, 170-180, 182-186, 194-198, 200-210, 212-216, 224-228, 230-240, 245, 247, 250-265, 267-269, 271-273, 280-285, 287-294, and 296 appear to be “readable” on the elected species.


Applicant respectfully disagrees with the species designations set forth in the Office Action at least to the extent that Fig. 25 is listed as corresponding to two separate species (Species XI and XVII) and that Fig. 39 is listed as corresponding to two separate species (Species XX and XXI). Also, Applicant respectfully disagrees with the apparent assertion that there is no generic claim, because at least one of independent claims 1, 31, 61, 91, 120, 150, 180, 210, 240, and 272 appears to be generic.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 21, 2004

By:   
Anthony M. Gutowski  
Reg. No. 38,742